

Notice of Allowability

Application No.

10/734,513

Examiner

Jamisue A. Plucinski

Applicant(s)

MCGINN ET AL.

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 7/30/07 and Examiner's Amendment filed here with.
2. ☒ The allowed claim(s) is/are 1,2,4-6,9-18,23-28,32 and 35-68.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 7/30/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Scott Felder on 9/26/07.

The application has been amended as follows:

In the Claims:

In **Claim 1**, line 4: "...sensors and a key container..." has been deleted and --sensors, a key container and a mounting device to mount the vehicle activity module to each of said vehicles-- has been substituted therefore.

In **Claim 27**, line 10: "...and..." has been deleted, and in line 12 --; and E) exchanging information between the key ID tags and the sensors-- has been inserted after "...when awakened..." but before the period at the end of the sentence.

In **Claim 39**, line 1: "... claim 29..." has been deleted and --claim 27-- has been substituted therefore.

In **Claim 40**, line 1: "... claim 29..." has been deleted and --claim 27-- has been substituted therefore.

In **Claim 48**, line 11: "...and..." has been deleted, and in line 13 --; and E) exchanging information between the key ID tags and the sensors-- has been inserted after "...time of awakening..." but before the period at the end of the sentence.

In **Claim 56**, line 7: "...and..." has been deleted, and in line 8: "--and a mounting device to mount the vehicle activity module to each of said vehicles;--" has been inserted after "...in the key container;..." but before "...a system computer having a database...".

2. The following is an examiner's statement of reasons for allowance: Carter (5,373,282) discloses the use of vehicle activity modules attached to vehicles and transmit information to a central location, however fails to disclose the use of key tag IDS, which exchange information or transmit information to sensors, Flick (6,737,961) disclose the use of a vehicle key system where a plurality of keys (with key tag IDs) are located in a central location, however fails to disclose a mounting device to mount the box to a vehicle, and further more teaches away from storing the keys directly on the vehicle itself. Therefore a system and method with a vehicle activity module including a transmitter, sensors, key container and a mounting device, key tag IDS, which exchange information with the sensors, is not anticipated nor rendered obvious over the prior art of record.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3629

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamisue A. Plucinski whose telephone number is (571) 272-6811. The examiner can normally be reached on M-Th (5:30 - 4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jamisue Plucinski
Primary Examiner
Art Unit 3629